

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

07cr123(8) (JNE)

11cv55 (JNE)

Plaintiff,

AMENDED

v.

ORDER

COREY LEE NELSON-HUGHES,

Defendant.

For the reasons stated in the Government's responsive memorandum, and pursuant to the en banc opinion of the Court of Appeals for the Eighth Circuit in Sun Bear v. United States, 644 F.3d 700 (8th Cir. en banc 2011), the 28 U.S.C. § 2255 motion of Corey Lee Nelson-Hughes is denied. The defendant is not entitled to a certificate of appealability.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: January 6, 2012

s/ Joan N. Ericksen
JOAN N. ERICKSEN, Judge
United States District Court